

REMARKS

Claims 1-42 are pending in the present application. Claims 1-3, 5, 6, 8-11, 13-17, 25, 26, 33, 38 and 39 have been amended herewith. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

Also, Applicants have submitted a replacement sheet for the drawing labeled Figure 1.

I. 35 U.S.C. § 112, Second Paragraph

The Examiner rejected Claims 1-42 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

With respect to Claim 1, the Examiner identifies a typographical error. Applicants have amended Claim 1 to correct such error.

Further with respect to Claim 1, the Examiner states that “the web browser” lacks antecedent basis. Applicants have amended Claim 1 to correct the antecedent basis for “web browser”.

Further with respect to Claim 1, the Examiner states that the step of having and the step of displaying have no logical unity. Applicants have amended Claim 1 to provide such logical unity as each step now recites ‘authentication data’.

Further with respect to Claim 1, the Examiner states that the body of the claim doesn’t support the preamble. Applicants have amended Claim 1, such that the preamble now recites “displaying web browser information” and the body of the claim recites “displaying given first information on a web browser frame of a web browser” such that the body of the claim supports the preamble.

With respect to Claims 2-4, the Examiner states it is not clear how displaying each of the type of information can possibly indicate that the web browser has sent a user-id and its accompanying password to the server. Applicants urge that the

amendment to Claims 1-3 now clarifies the recited “given first information”, and how the display of given first information provides a status indicator.

With respect to Claims 5 and 6, the Examiner states these claims depend upon Claim 1 and thus inherit the problems associated with Claim 1. As Claim 1 has been amended to address the indefiniteness issues identified by the Examiner, the rejection of Claims 5 and 6 under 35 U.S.C. § 112, second paragraph is similarly overcome.

With respect to Claim 7 (and dependent Claim 10), the Examiner comments that such claim is confusing since it claims that a logoff menu entry is displayed responsive to selecting a logon icon. Applicants respond by showing that it is common practice to include a plurality of selectable options when selecting an icon, wherein some of the selectable options are related to the selected icon but are not an identical functional match to the name of the icon. For example, in the Microsoft Windows operating system, a user selects the “Start” button/icon when they desire to ‘shutdown’ the system. In similar fashion with respect to a preferred embodiment of the present invention, a logoff menu item may be presented when a user selects a logon icon such as a userid (Specification page 11, lines 18-23). As Claim 7 is consistent with both the description of the invention included in the specification as well as being consistent with standard practice of presenting related menu selection choices when a user selects an icon or menu, it is shown that Claim 7 (and dependent Claim 10) is not confusing.

With respect to Claim 10, the Examiner notes that “the ... second given information” lacks antecedent basis. Applicants have amended Claim 10 accordingly to provide antecedent basis.

Regarding Claim 8, the Examiner notes numerous issues pertaining to such claim. Applicants have amended Claim 8 in an attempt to address each identified issue.

With respect to Claim 9, the Examiner states these claims depend upon Claim 1 and thus inherit the problems associated with Claim 1. Applicants show that to the contrary, Claim 9 depends upon Claim 8. As Claim 8 has been amended to address the indefiniteness issues identified by the Examiner, the rejection of Claim 9 under 35 U.S.C. § 112, second paragraph is similarly overcome.

With respect to Claim 11, the Examiner states this claim is rejected for similar reasons to those identified with respect to Claim 8. Applicants have amended Claim 11 in an attempt to address the Examiner's concerns.

With respect to Claims 12-14, the Examiner states these claims depend upon Claim 1 and thus inherit the problems associated with Claim 1. Applicants show that to the contrary, Claims 12-14 depend upon Claim 11. As Claim 11 has been amended to address the indefiniteness issues identified by the Examiner, the rejection of Claims 12-14 under 35 U.S.C. § 112, second paragraph is similarly overcome.

With respect to Claim 15, the Examiner cites numerous concerns relating to such claim. Applicants have amended Claim 15 in an attempt to address these concerns. It should also be noted that where the identifier is taken, emerges, or is sourced is not important to Claim 15, and thus is not expressly recited in the claim. As described in the Specification, in a preferred embodiment the indicator is a user-id as entered by a user (Specification page 10, lines 17-19).

With respect to Claim 16, Applicants have amended such claim to clarify that it is the act of displaying (either an 'indicator' or a 'logon icon') that provides the respective status indication.

With respect to Claim 17, the Examiner cites numerous concerns relating to such claim. Applicants have amended Claim 17 in an attempt to address these concerns. It should also be noted that where the given first information emerges is not important to Claim 17, and thus is not expressly recited in the claim. As described in the Specification, in a preferred embodiment the given first information includes a cookie icon (Specification page 12, lines 8-10).

With respect to Claims 18-24, the Examiner states these claims depend upon Claim 17 and thus inherit the problems associated with Claim 17. As Claim 17 has been amended to address the indefiniteness issues identified by the Examiner, the rejection of Claims 18-24 under 35 U.S.C. § 112, second paragraph is similarly overcome.

With respect to Claim 25:

(i)(1) The Examiner initially questions the purpose for determining whether the URL has an entry in the table, as the result of the determination is not being used. Applicants have amended Claim 25 to clarify usage of this determination;

(i)(2) The Examiner next states that “an entry” is vague and indefinite. Applicants maintain that a table having entries is common terminology, and is described in the Specification at page 18, lines 8-16;

(i)(3) The Examiner states that an entity that does the determination is not clear. Applicants have amended the preamble of Claim 25 to clarify that the method is performed by an apparatus;

(i)(4) The Examiner states that the clause “the URL has an entry in a table” is confusing, and Applicants have amended Claim 25 accordingly;

(ii)(1) The Examiner notes that there is not any step wherein the condition (“if the entry is marked ...”) is determined, and Applicants have amended Claim 25 accordingly;

(iii)(1) The Examiner states that the body of the claim doesn’t support the preamble, as the body of the claim does not have steps reciting the usage of cookie data. Applicants respectfully show that the body of Claim 25 recites “retrieving cookie data” and “sending the cooking data”, both of which are steps using cooking data;

(iii)(2) The Examiner states it is not clear as to how the recited steps result in cookie data being used. Applicants have amended the preamble to eliminate the objectionable terminology of “using cookie data”;

(iv) The Examiner complains of a gap between a result of the determination step and the condition on which cookie data can be retrieved, and Applicants have amended Claim 25 accordingly.

With respect to Claim 26, the Examiner states that the purpose for which the cookie icon is displayed is not clear, and how this displaying step contributes to the effect of using the cooked data is not clear. Applicants have amended Claim 26 accordingly.

With respect to Claims 26-32, the Examiner states these claims do not further limit their parent claim 25, as they do not support the using of the cookie recited in Claim 25. Applicants urge that the amendment to the preamble of Claim 25 makes this issue moot.

With respect to Claims 38-42, the Examiner notes that these claims have similar issues to those identified with respect to Claims 25-32. Applicants have amended Claims 38-42 in similar fashion to Claims 25-32 in order to overcome such concern.

With respect to Claim 33, the Examiner notes numerous concerns, and Applicants have amended Claim 33 in an attempt to address most of those concerns. However, as to the concern about a relationship between sending a list of cookies and displaying a list of cookies, it is noted that Claim 33 does not recite a step of sending any type of list, so there is no reason or requirement to provide any relationship between sending a list of cookies and displaying a list of cookies.

The Examiner further complains about Claims 38-42 in steps j. and k. of the present Office Action (pages 14-16). Applicants have already addressed these concerns when responding to the Examiner's concerns regarding Claims 38-42 recited in step h. on page 11 of the present Office Action.

Therefore the rejection of Claims 1-42 under 35 U.S.C. § 112, second paragraph has been overcome.

II. 35 U.S.C. § 103, Obviousness

A. The Examiner rejected Claims 1-5, 8, 9 and 11-16 under 35 U.S.C. § 103 as being unpatentable over Doeberl et al (6,237,033) in view of Reiche (6,092,196). This rejection is respectfully traversed.

With respect to Claim 1, Applicants show that none of the cited references teach or suggest the claimed feature of "displaying given first information on a web browser frame of a web browser, *the given first information indicating that the web browser sent the authentication data to the server for a targeted URL*". As can be seen, the given first information that is displayed indicates that the web browser sent the authentication data to the server. In rejecting Claim 1, the Examiner states that Doeberl teaches such display since Doeberl teaches display of cookies at Col. 2, lines 1-5, and Reiche teaches that a cookie is formed by the web server using authentication data. Applicants show that Doeberl teaches a general purpose cookie editor whereby cookies stored in a cookie file can be edited by a user (Doeberl Col. 5, lines 24-36). Importantly, Doeberl teaches that cookie files can be edited either while the user is connected to the Internet *or offline* (Col. 5, lines 26-28). Because the cookie editor can be operated while the user is offline, the display of a cookie by Doeberl provides no type of indication that the web browser sent authentication data to a server. Cookies may serve many purposes (Doeberl Col. 2, lines

5-8), and even thought Reiche teaches one type of cookie that may contain a user-id and password, that is certainly not an absolute requirement of cookies. Thus, Doeberl's display of cookies provides no indication that a web browser has sent authentication data, as (i) Doeberl's cookies do not necessarily contain authentication data, and (ii) Doeberl's cookie editor is operable off-line, and therefore the display of a cookie provides no authentication status information. To establish prima facie obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. MPEP 2143.03 (emphasis added by Applicants). *See also, In re Royka*, 490 F.2d 580 (C.C.P.A. 1974). As neither cited reference teaches or suggests the claimed feature of displaying given first information on a web browser frame of a web browser, the given first information indicating that the web browser sent the authentication data to the server for a targeted URL, it is shown that Claim 1 has been erroneously rejected under 35 USC 103.

Applicants initially traverse the rejection of dependent Claims 2-5 for reasons given above regarding independent Claim 1.

Applicants further traverse the rejection of Claim 3 by showing the none of the cited references teach or suggest the claimed feature of "wherein the given first information includes a logon icon indicating that the user has successfully executed a logon to the given realm and is currently logged-on". In rejecting Claim 3 (included in the rejection of Claims 2-4 on page 20 of the present office action dated 03/01/2004), the Examiner merely alleges that Reiche teaches that a cookie holds content such as a user-id. Claim 3 is directed to what is being displayed, and not what is being held in a cookie. The Examiner has not made any allegation, nor does either reference actually teach or suggest, displaying a logon icon indicating that a user has executed a logon, as claimed. Thus, the Examiner has failed to establish a prima facie showing of obviousness¹. As a prima facie case of obviousness has not been made with respect to Claim 3, the burden

¹ In rejecting claims under 35 U.S.C. Section 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). "A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976)).

has not shifted to Applicants to rebut an obviousness assertion². Accordingly, the rejection of Claim 3 is shown to be in error³.

Applicants further traverse the rejection of Claim 4 by showing the none of the cited references teach or suggest the claimed feature of “wherein the given first information includes information *identifying the realm*”. The Examiner has not made any allegation, nor does either reference actually teach or suggest, that the given first information includes information identifying the realm. Thus, the Examiner has failed to establish a prima facie showing of obviousness, and the rejection of Claim 4 is therefore shown to be in error.

Further with respect to Claim 5, Applicants show that none of the cited references teach or suggest the claimed steps of “responsive to the user later attempting to navigate to a restricted URL, displaying a new logon panel; and following logon, displaying given second information on the web browser frame, the given second information indicating that the web browser sent new authentication data to the server for the restricted URL”. In rejecting Claim 5, the Examiner states that Doeberl teaches that his browser displays cookie following user’s logging on to navigate a URL. Such assertion does not establish, nor does the cited reference teach or suggest, displaying a new logon panel. Thus, a prima facie case of obviousness has not been made with respect to Claim 5, and thus Claim 5 has been erroneously rejected.

In addition, the cited Reiche reference expressly teaches away from this claimed feature, as its primary purpose it to avoid a user having to subsequently logon (Reiche Col. 6, lines 44-49). Thus, in addition to there being missing claimed elements in the combined teaching, such combined teaching expressly teaches away from the claimed invention, further evidencing non-obviousness of Claim 5.

Applicants traverse the rejection of Claims 8 and 9 for similar reasons to those given above regarding Claim 5.

² In rejecting claims under 35 U.S.C. Section 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. *In re Oetiker*, supra. 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. *In re Oetiker*, supra.

³ If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

With respect to Claims 11 and 12, Applicants traverse for similar reasons to those given above regarding Claim 8 (and thus Claim 5), and show that none of the cited references teach or suggest the claimed feature of “means responsive to logon by the user using the new logon panel, for displaying on the web browser frame, given second information indicating that the web browser sent a new userid and its accompanying password to the server for the second targeted URL”.

With respect to Claim 13, Applicants initially traverse for reasons given above regarding Claim 11 (and thus Claims 5 and 8), of which Claim 13 depends upon. Further with respect to Claim 13, Applicants traverse for similar reasons to those given above regarding Claim 3, and show that none of the cited references teach or suggest the claimed feature of “wherein the first and second given information includes a logon icon indicating that the user has successfully executed a login and is currently logged-on”.

With respect to Claim 14, Applicants initially traverse for reasons given above regarding Claim 13, of which Claim 14 depends upon. Further with respect to Claim 14, Applicants show that none of the cited references teach or suggest, nor has the Examiner alleged any teaching or suggestion of, (i) means responsive to the user taking a given action with respect to the logon icon for displaying a logoff menu entry; or (ii) means responsive to the user selecting the logoff menu entry for deleting the userid and password from a basic authentication table. Therefore, the Examiner has failed to establish a prima facie case of obviousness with respect to Claim 14, and such claim has thus been erroneously rejected.

With respect to Claim 15, Applicants show that none of the cited references teach or suggest means for displaying an identifier of the user *and* means for displaying a logon icon. In rejecting Claim 15, the Examiner relies upon the reasons given in rejecting Claims 11 and 13. In rejecting Claims 11 and 13, the Examiner relies upon the reasons given in rejecting Claims 5 and 8. Claims 5 and 8 do not recite display of *both* a user identifier and a logon icon, nor has the Examiner alleged such display of both a user identifier and a logon icon in rejecting Claims 5 and 8. Therefore, the Examiner’s ultimate reliance on the reasoning given in rejecting Claims 5 and 8 as being the reason given in rejecting Claim 15 does not establish a teaching or suggestion of both a means

for displaying an identifier of the user and means for displaying a logon icon. Therefore, Claim 15 has been erroneously rejected.

With respect to Claim 16, Applicants traverse for similar reasons to those given above regarding Claim 15.

Therefore, the rejection of Claims 1-5, 8, 9 and 11-16 under 35 U.S.C. § 103 has been overcome.

B. The Examiner rejected Claims 17, 18 and 33-37 under 35 U.S.C. § 103 as being unpatentable over Alegre et al (6,199,113) in view of Doeberl et al (6,237,033). This rejection is respectfully traversed.

With respect to Claim 17 (and similarly for Claim 18), Applicants show that none of the cited references teach or suggest the claimed feature of “displaying, on a web browser frame of the web browser, *given first information indicating that the web browser sent a cookie to the server for the targeted domain and path*”. The Examiner acknowledges that the cited Alegre’s displaying step does not indicate any status information with respect to a browser having sent a cookie, since Alegre stores cookies into memory rather than outputting it onto a display. However, the Examiner then states that Doeberl teaches displaying cookies by using a browser. Applicants show that Claim 17 does not merely recite display of information such as a cookie, but rather display of information indicating a particular status, and in particular displaying information indicating that the web browser sent a cookie to a server. Because the teachings of Doeberl allow for a user to edit cookies while off-line (Doeberl Col. 5, lines 26-29), the display of cookies by Doeberl does not indicate any type of cookie-sending status, as claimed. Thus, the Examiner has failed to establish a prima facie showing with respect to Claim 17 (and similarly for Claim 18), and the burden has not shifted to Applicants to overcome the Examiner’s assertion of obviousness.

Further with respect to Claim 18, Applicants show that none of the cited references teach or suggest the claimed feature of “wherein the given first information includes a cookie icon”. The Examiner apparently acknowledges that such teaching or suggestion is lacking in the cited references, because the Examiner does not provide any citation in such references to such a teaching. Instead, the Examiner states that because

icons are notoriously old and well known in the art, this claimed feature would have been obvious. Applicants show error in such 'notoriously old and well known' basis for rejection, as follows.

As stated by the Federal Circuit, "virtually all [inventions] are combinations of old elements." *Environmental Designs, Ltd. v. Union Oil Co.*, 713 F.2d 693, 698, 218 USPQ 865, 870 (Fed. Cir. 1983); *see also Richdel, Inc. v. Sunspool Corp.*, 714 F.2d 1573, 1579-80, 219 USPQ 8, 12 (Fed. Cir. 1983) ("Most, if not all, inventions are combinations and mostly of old elements."). Therefore an examiner may often find every element of a claimed invention in the prior art. If identification of each claimed element in the prior art were sufficient to negate patentability, very few patents would ever issue. Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. Such an approach would be "an illogical and inappropriate process by which to determine patentability." *Sensonics, Inc. v. Aerosonic Corp.*, 81 F.3d 1566, 1570, 38 USPQ2d 1551, 1554 (Fed. Cir. 1996). "[w]hen determining the patentability of a claimed invention which combines two known elements, 'the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination.'" *See In re Beattie*, 974 F.2d 1309, 1311-12, 24 USPQ2d 1040, 1042 (Fed. Cir. 1992) (quoting *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1462, 221 USPQ 481, 488 (Fed. Cir. 1984)). The fact that a prior art device could be modified so as to produce the claimed device is not a basis for an obviousness rejection unless the prior art suggested the desirability of such a modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Although a device may be capable of being modified to run the way [the patent applicant's] apparatus is claimed, there must be a suggestion or motivation *in the reference* to do so. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Applicants urge that there is no suggestion in either of the cited references of any desire to modify the teachings contained therein in accordance with the claimed invention. Therefore, Claim 18 is further shown to have been erroneously rejected by the Examiner using 'notorious old and well known' rationale.

With respect to Claim 33 (and dependent Claims 34-37), Applicants initially traverse for similar reasons to those given above regarding Claim 17, and show that none of the cited references teach or suggest the claimed feature of “means, responsive to a user device connecting to a targeted domain and path on a server, for displaying on a web browser frame of a web browser, *information indicating that the web browser sent a cookie to the server*”.

Further with respect to Claim 33 (and dependent Claims 34-37), Applicants show that none of the cited references teach or suggest the claimed feature of “means operative in a current web browser session for displaying a list of cookies sent to the server”. The Examiner acknowledges that the cited Alegre’s displaying step does not display a list of cookies, since Alegre stores cookies into memory rather than outputting it onto a display. However, the Examiner then states that Doeberl teaches displaying cookies by using a browser. Applicants show that Claim 33 does not merely recite display of cookies, but rather displaying a list of cookies sent to the server. Because the teachings of Doeberl allow for a user to edit cookies while off-line (Doeberl Col. 5, lines 26-29), the display of cookies by Doeberl does not indicate any type of list of cookies *sent to a server*, as claimed. Thus, the Examiner has failed to establish a prima facie showing with respect to Claim 33 (and similarly for dependent Claims 34-37), and the burden has not shifted to Applicants to overcome the Examiner’s assertion of obviousness.

Therefore, the rejection of Claims 17, 18 and 33-37 under 35 U.S.C. § 103 has been overcome.

C. The Examiner rejected Claims 25, 26, 38 and 39 under 35 U.S.C. § 103 as being unpatentable over Doeberl et al (6,237,033). This rejection is respectfully traversed.

With respect to Claim 25 (and dependent Claim 26), Applicants show that the cited reference does not teach or suggest the claimed feature of “responsive to a user attempt to retrieve a URL with the web browser, determining whether the URL matches at least a portion of an entry in a table and if so, retrieving cookie data from the entry if it is determined that the entry is marked in the table as unblocked”. The Examiner acknowledges that the cited reference does not teach any retrieval that includes determining whether the web-site is associated with a cookie, but states that this is well

known in the art. Applicants respond by showing that the fact that a prior art device could be modified so as to produce the claimed device is not a basis for an obviousness rejection *unless the prior art suggested the desirability of such a modification. In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984) (emphasis added by Applicants). There is simply no suggestion in the cited reference of any desire for such modification, and thus Claim 25 (and dependent Claim 26) has been erroneously rejected per *In re Gordon, Id.*

Further with respect to Claim 26, Applicants show that the cited reference does not teach or suggest the claimed feature of “if the data includes new cookie data, determining whether the user desires to accept the new cookie data *and if so, displaying a cookie icon on a frame of the web browser*”. The Examiner’s “notoriously old and well known” rationale for rejecting Claim 26 is shown to be in error, for reasons previously given above (see, e.g., the discussion above regarding Claim 18).

Applicants traverse the rejection of Claims 38 and 39 for similar reasons to those given above regarding Claims 25 and 26.

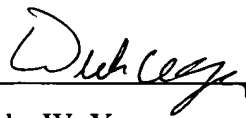
Therefore, the rejection of Claims 25, 26, 38 and 39 under 35 U.S.C. § 103 has been overcome.

III. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



Duke W. Yee
Reg. No. 34,285

Wayne P. Bailey
Reg. No. 34,289
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 367-2001
Attorneys for Applicant